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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,525	08/22/2003	Luca Massasso	08020.0002.00000	8119
22852	7590	12/23/2008		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER NUNEZ, JORDANY	
			ART UNIT	PAPER NUMBER
			2175	
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			12/23/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/645,525

Applicant(s)

MASSASSO ET AL.

Examiner

Jordany Núñez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/CB/CIC)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/09/2008 has been entered.

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1-8, 10 and 18-23 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Re claims 1-8, 10, claims 1-8, 10 fail to fall within a statutory category of invention. All of components of the systems of independent claims 1 (e.g., the "means" are software modules as depicted on fig. 2) and 8 (e.g., first and second set of database tables, transactions, and a "means") are directed to a software programs, per se, not a process occurring as a result of executing the program, a machine programmed to operate in accordance with the program nor a manufacture structurally and functionally interconnected with the program in a manner which enables the program to act as a computer component and realize its functionality. They are also clearly not directed to a composition of matter. Therefore, they are non-statutory under 32 USC 101.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-8, 10-23 are rejected under 35 U.S.C. 102(e) as being anticipated by DiStefano, III (6771291).

Re claim 1, DiStefano, III discloses a system for generating a user interface for a web application program, the system comprising:

a repository (in 190 or 170 for example) of reusable screen components including graphical user interface (GUI) components (figure 2 shows GUI components used for example);

means for enabling a user to create a web page layout by (method of designing, see abstract for example);

selecting GUI components from the repository (see column 5 lines 12-14, lines 37-38 for example),

arranging the selected GUI components within the web page (see column 6 lines 3-7, lines 26-27 for example),

defining interaction between at least two of the selected GUI components, the interaction including causing a first GUI component to perform an action in response to an event generated by a second GUI component (selecting a web assets color and sound, see column 7 lines 25-34, lines 41-46, for example), and

defining interaction between one or more of the selected GUI components (e.g., banner) and the web application program (e.g., sticky pad), the interaction involving transactional business data (e.g., advertising) and one or more backend systems (e.g., advertising tracking system) wherein the selected GUI components (e.g., banner) contain transactional business data (e.g., information on a user's website) and inherit properties specific to the one or more selected GUI components (e.g., the banner inherits its

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design) from a user interface framework (see column 9, lines 35-49; column 11 lines 40-43, column 12 lines 35-38 for example); and

means for storing rendering information of the web page layout to enable a web server to render the web page ("GUI is stored", see column 5 line 2 for example).

Re claim 2, DiStefano, III discloses a system, wherein the repository of reusable screen components includes at least one of a tray component, a tab-strip component, a tool-bar component, a text area component, a form-box component, a selection-box component, a table-view component, a table-view-for-time-series component, and a chart component (color palette 640 for example).

Re claim 3, DiStefano, III discloses a system, wherein the means for storing rendering information include means for storing at least one of layout settings of the selected components, properties of the selected components, and the handling of data represented by the selected components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2 for example).

Re claim 4, DiStefano, III discloses a system, wherein the means for storing rendering information includes data storage means for storing variables defining the web page layout (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2 for example).

Re claim 5, DiStefano, III discloses a system, further comprising means for retrieving the stored rendering information and generating hypertext mark-up language (HTML) code using the rendering information (see column 5 lines 50-55 for example).

Re claim 6, DiStefano, III discloses a system, wherein the means for storing rendering information includes data storage means for storing variables describing event handlers assigned to the reusable components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2, column 18 lines 50-63 for example).

Re claim 7, DiStefano, III discloses a system, wherein the means for storing rendering information includes data storage means for storing variables describing an application model assignment of the data presented by the reusable components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2, column 18 lines 60-66 for example).

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Re claim 8, DiStefano, III discloses a system for generating a user interface for a web application program, the system comprising:

a first set of database tables (190, operates GUI, see column 5 lines 1-14, figure 1 for example) to define screens (operates GUI), the first set of database tables being stored in a computer-readable storage medium and including one or more tables that describe graphical user interface (GUI) screen components, screen layout, component configuration, application model assignment, and event handling (operates GUI for example);

a first set of transactions for administrating the first set of database tables, the first set of transactions being stored in a computer-readable storage medium; and

means for generating web pages by accessing the first set of database tables using the first set of transactions, wherein accessing the first set of database tables includes accessing information relating to at least one of the GUI screen components and event handling; and

a second set of database tables (170 for example) based upon the first set of stored database tables, the second set of stored database tables being stored on a computer-readable storage medium and configured for customization and personalization of the user interface (see items 170 or 190, figure 2, and abstract, column 6 lines 3-7, lines 26-27, column 5 lines 12-14, line 37-38, column 7 lines 25-34 for example) (storage, see column 2 lines 35-40, column 4 lines 42-44, column 5 line 2 and column 18 lines 60-63 for example).

Re claim 10, DiStefano, III discloses a system, wherein the first set of database tables that describe GUI screen components include at least one of a tray component, a tab-strip component, a tool-bar component, a text area component, a form-box component, a selection-box component, a table-view component, a table-view-for-time-series component, and a chart component (640 for example).

Re claim 11, DiStefano, III discloses a method for generating a user interface for a web application program, the method comprising:

selecting graphical user interface (GUI) components from a repository of reusable screen components (images 121 and story files 123 for example) (retrieves story information from database, see paragraph 0051 for example);

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arranging the selected GUI components to create a web page layout (produces a set of published news Web pages see paragraph 0051 for example);

defining interaction between at least two of the selected GUI components, the interaction including causing a first GUI component to perform an action in response to an event generated by a second GUI component (see paragraph 0083 for example);

defining interaction between one or more of the selected GUI components and the web application program, the interaction involving transactional business data and one or more backend systems, wherein the selected GUI components contain transactional business data and inherit properties specific to the one or more selected GUI components from a user interface framework (see column 9, lines 35-49; column 11 lines 40-43, column 12 lines 35-38 for example); and

storing (database 400 for example) rendering information of the web page layout to enable rendering of the web page by a web server (see items 170,190, figure 2, abstract, and column 7 lines 25-34 for example).

Re claim 12, DiStefano, III discloses a method, wherein the repository of reusable screen components includes at least one of a tray component, a tab-strip component, a tool-bar component, a text area component, a form-box component, a selection-box component, a table-view component, a table-view-for-time-series component, and a chart component (640 for example).

Re claim 13, DiStefano, III discloses a method, wherein storing the rendering information comprises at least one of storing layout settings of the selected GUI components, storing properties of the selected GUI components, and storing information about the handling of data represented by the selected GUI components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line2 for example).

Re claim 14, DiStefano, III discloses a method, wherein storing rendering information comprises storing variables defining the web page layout (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2 for example).

Re claim 15, DiStefano, III discloses a method, further comprising retrieving the stored rendering information and generating hypertext mark-up language (HTML) code using the rendering information (see column 5 lines 50-55 for example).

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Re claim 16, DiStefano, III discloses a method, wherein storing rendering information comprises storing variables defining event handlers assigned to the reusable components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2, column 18 lines 60-63 for example).

Re claim 17, DiStefano, III discloses a method wherein storing rendering information comprises storing variables defining an application model assignment of the data presented by the reusable components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2, column 18 lines 60-66 for example).

Re claim 18, DiStefano, III discloses a computer-readable storage medium comprising program code means for performing a method according to any one of the claims 11 to 17 when the program is run on a computer (see abstract for example).

Re claim 19, DiStefano, III discloses a computer readable storage medium that stores executable instructions causing a computer system to provide:

a repository of reusable screen components including graphical user interface (GUI) components;

means for enabling a user to create a web page layout by:

selecting GUI components from the repository,

arranging the selected GUI components within the web page,

defining interaction between at least two of the selected GUI components, the interaction including causing a first GUI component to perform an action in response to an event generated by a second GUI component, and

defining interaction between one or more of the selected GUI components and the web application program, the interaction involving transactional business data and one or more backend systems, wherein the selected GUI components contain transactional business data and inherit properties specific to the one or more selected GUI components from a user interface framework (see column 9, lines 35-49; column 11 lines 40-43, column 12 lines 35-38 for example); and

means for storing rendering information of the web page layout to enable a web server to render the web page (see items 170 or 190, figure 2, abstract, column 5 lines 2 and lines 12-14, lines 37-38,

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column 6 lines 3-7, lines 26-27, column 7 lines 25-34, column 11 lines 40-43, column 12 lines 35-38 for example).

Re claim 20, DiStefano, III discloses a computer readable storage medium, further comprising instructions operable to cause the computer system to have the repository of reusable screen components include at least one of a tray component, a tab-strip component, a tool-bar component, a text area component, a form-box component, a selection-box component, a table-view component, a table-view-for-time-series component, and a chart component (640 for example).

Re claim 21, DiStefano, III discloses a computer readable storage medium, further comprising instructions operable to cause the computer system to provide means for storing the rendering information, including means for storing at least one of layout settings of the selected GUI components, properties of the selected GUI components, and the handling of data represented by the selected GUI components ("GUI is stored" column 5 line 2 and abstract for example).

Re claim 22, DiStefano, III discloses a computer readable storage medium, further comprising instructions operable to cause the computer system to provide data storage means for storing variables defining the web page layout ("GUI is stored" column 5 line 2 and abstract for example).

Re claim 23, DiStefano, III discloses a computer readable storage medium, further comprising instructions operable to cause the computer system to provide means for retrieving the stored rendering information and generating hypertext mark-up language (HTML) code using the rendering information ("GUI is stored" column 5 line 2 and abstract, and column 5 lines 50-55 for example)).

Response to Arguments

5. Applicant's arguments filed 10/09/2007 have been fully considered but they are not persuasive. Applicant argues that:

1) Even assuming a "chick icon" making a "peep noise" could constitute the claimed interaction, there is nothing in DiStefano that discloses or suggests such an interaction involves the claimed "transactional business data." A "chick" making a "peep" is in no way useful to the transaction of business (page 12, third paragraph).

Examiner disagrees.

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The label "transactional business" that Applicant gives to the "data" is broad enough to be reasonably understood to comprise advertising data. Because DiStefano teaches an advertising banner (e.g., col. 9, lines 35-44).

Also note that the examination includes giving each term in the claim its broadest reasonable interpretation in determining patentability of the claim.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jordany Núñez whose telephone number is (571)272-2753. The examiner can normally be reached on Monday Through Thursday 9am-7:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on (571)272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JN
12/10/2008

/WILLIAM L. BASHORE/
Supervisory Patent Examiner, Art Unit 2175